

REMARKS/ARGUMENTS

This paper is submitted in response to the Office Action mailed March 2, 2006. A Request for a One-Month Extension of Time under 37 CFR 1.136(a) is submitted herewith, along with the fee prescribed by 37 CFR 1.17(a)(1). The response is therefore timely. Reconsideration is respectfully requested.

Claims 1-10 were examined, claims 11-25 having been cancelled without prejudice to the resubmission of the subject matter of these claims in a divisional application.

Claims 1-7, 9, and 10 stand rejected under 35 U.S.C. §103(a) as unpatentable over US 6,099,400 – Ragnarsson et al. in view of US 5,112,269 – Petersen, deceased, et al., and in further view of US 4,916,775 - Gallant. Claim 8 was rejected on the same grounds as unpatentable over Ragnarsson et al. in view of Petersen, deceased, et al. and Gallant, and in further view of US 3,818,818 – Hice.

In response to the Office Action, claim 1 has been amended to incorporate the subject matter of claim 9 (which has been canceled), and also to make the claim more specific to a process for separating shrimp meat from both shells and eggs. As discussed below, it is respectfully submitted that claims 1-8 and 10, as amended, define patentably over the art of record.

Gallant was cited for its disclosure of a method and apparatus for shucking and eviscerating clams and other “bivalvular mollusks” (column 1, lines 6-15), which includes the immersion of the shucked clam meat in a brine separator, in which the meat is separated from any remaining shells and fines. The brine separator causes the meat to float and the shells to sink. The Gallant method and apparatus is disclosed for use with mollusks, which do not contain eggs. Mollusk eggs are dispelled into the water for external fertilization, and the mollusks (particularly clams), when harvested, do not contain eggs.

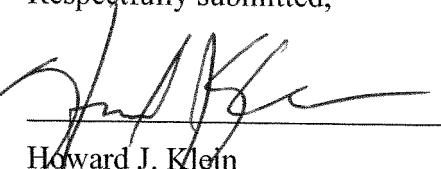
Crustaceans, such as shrimp, by contrast, typically carry eggs on the body of the females, and these eggs must be removed from the meat along with the shells. Claim 1, as amended, now

specifically relates to a method of separating shrimp meat from the shells and eggs that are frequently carried on the shrimp. This is a problem that is not addressed by Gallant. Furthermore, Claim 1, as amended, now specifically recites the use of a brine solution having 6-14% NaCl by weight. This range is critical, because less than about 6% NaCl will not result in sufficient meat separation, particularly from the eggs (which are denser than the boiled shrimp meat), while more than about 14% will affect the flavor of the meat. The advantages of the specific salt concentration range are set forth in the specification at page 4, line 16, to page 5, line 2, and at page 13, lines 20-28 (the latter citation discussing the specific concentration of 9.5% by weight, which is nearly at the middle of the claimed range). Claim 1, as amended, is thus distinguished from the cited references, including the cited combination with Gallant, because the cited references do not address the issue of egg separation, and because none of the references suggests the use of the specifically-claimed salt concentration range defined in claim 1 in a meat-separation process. Indeed, Gallant mentions that salinity in the separator must be maintained “at a seventy-five to one-hundred percent solution” (column 4, lines 43-45), both to ensure meat separation and to deter microbial growth. (*Id.* at lines 45-49.)

Accordingly, it is respectfully submitted that claim 1 defines patentably over the art of record and should be allowed. Claims 2-8 and 10 depend from claim 1 and further define other novel aspects of the invention that are neither taught nor suggested in the claimed combination of steps by the art of record. Thus, for example, claim 3 teaches a novel and non-obvious cooking temperature range; claim 4 teaches a novel and non-obvious cooking time period; claims 6 and 7 define the cooking step as being a continuous operation and a batch operation, respectively; and claim 10 defines the novel and non-obvious flotation separation step with greater particularity. The remaining dependent claims (2, 5, and 8) define with greater particularity specific aspects of the novel and non-obvious method defined in claim 1. Therefore, dependent claims 2-8 and 10 also define patentably over the art of record and should be allowed along with claim 1.

In summary, it is respectfully submitted that claims 1-8 and 10 define patentably over the art of record and should be allowed. Passage of the application to issue is therefore earnestly solicited.

Respectfully submitted,



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